IN THE HIGH COURT OF JUDICATURE FOR RAJASTHAN AT JODHPUR

CIVIL WRITS No. 3841 of 2002

M/S.DINESH POUCHES LTD.
V/S
STATE & ANR.

Mr. V KOTHARI, for the appellant / petitioner

Smt. RR KANWAR ADDL.G.A., for the respondent

Date of Order : 24.8.2004

HON'BLE SHRI N P GUPTA,J.

ORDER

Heard learned counsel for the parties.

Since the orders under challenge imposing penalty are appealable, I am not inclined to interfere in my writ jurisdiction. The writ petition is, therefore, dismissed summarily.

However, as appears from the order dt. 4.10.02 that the vehicle, so also the goods have been ordered to be released by this Court on petitioner paying the full amount of tax, so also furnishing two guarantors for the payment of penalty amount, I think it appropriate to direct that if the petitioner files appeal within a period of two weeks from today, the recovery proceedings from the petitioner shall remain stayed pending disposal of the appeal. However, the Appellate Authority is also directed to decide the appeal most expeditiously.

(N P GUPTA),J.

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